

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER**

IN THE MATTER OF:

**Garrelts Livestock Feeders, LLP
Facility ID #62566
Section 25, Silver Lake Township
Palo Alto County, Iowa**

**ADMINISTRATIVE CONSENT ORDER
NO. 2007-AFO-10**

**TO: David C. Garrelts
3928 425th Street
Ayrshire, Iowa 50515**

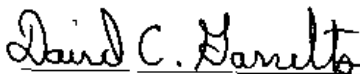
VIOLATION: 567 Iowa Administrative Code (IAC) 65.16(3)"b" and "c". You failed to submit a complete Iowa Phosphorus Index manure management plan (MMP) to the Iowa Department of Natural Resources (Department), the board of supervisors of the county where your confinement feeding operation is located, and to the board of supervisors of each county where manure from your confinement feeding operation is land-applied, by November 1, 2006. You were sent a notice of these requirements on September 12, 2006, a notice of delinquency on November 13, 2006, and a second notice of delinquency on December 11, 2006. On January 12, 2007, a notice of referral was sent to you.

ORDER: You shall submit to Department Field Office #3 your complete MMP and fee within 30 days of the Director signing this Consent Order (Order). In addition, a penalty of \$3,000.00 shall be paid 30 days after the Director signs this Order. This penalty shall be paid to the Department, at the address listed below. \$500.00 of this amount is assessed for economic benefit from delayed payment of fees and delayed preparation costs. \$1,250.00 of this amount is based on the gravity of the violation, considering the size of this facility, agency costs in addressing this violation, the importance of the animal feeding operation program, and the threat to the integrity of the animal feeding operation program. \$1,250.00 of this amount is for culpability; the MMP requirements have been widely publicized in the industry, ample time for compliance was allowed and you were sent three notices of the requirement by the Department.

AUTHORITY: Iowa Code §455B.109, §459.103(3); 567 IAC 10.3, 65.16(3)"b" and "c".

APPEAL: This Order is entered into knowingly by and with the consent of Garrelts Livestock Feeders, LLP. For that reason, Garrelts Livestock Feeders, LLP waives the right to appeal this Order or any part thereof.

NONCOMPLIANCE: If you fail to comply with this Order you may be subject to further penalties pursuant to Iowa Code §455B.109 or penalties and injunction pursuant to Iowa Code §455B.191 and §459.603.



David C. Garrelts
Garrelts Livestock Feeders, LLP

Dated this 1 day of

March, 2007



Richard A. Leopold, DIRECTOR

IOWA DEPARTMENT OF NATURAL RESOURCES
502 East Ninth Street; Wallace State Office Building; Des Moines, Iowa 50319

Dated this 2 day of April, 2007